

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

The present application is a continuation application of, and claims priority to, Application Serial No. 09/926,676, filed on November 30, 2001, which is a national stage application of the International Bureau in PCT Application No. PCT/JP00/03597, filed on June 2, 2000. On August 26, 2003, a Final Office Action was mailed for the parent of this application. In addition, on November 13, 2003, Applicants' representatives had a personal interview with the Examiner to discuss the outstanding rejections of the Final Office Action of August 26, 2003. In this continuation application, the pending Claims 17-26 in the parent have been renumbered as new Claims 1-10. In addition, with the exception to the amendments to the abstract and the cross-reference to related application, the changes submitted in this preliminary amendment are the same as the ones submitted in the amendment filed on November 26, 2003 under 37 C.F.R. §1.116, which changes were not entered as indicated in the subsequent Advisory Action received by facsimile on January 5, 2004. Furthermore, the sheets of drawings submitted with this application incorporate all of the changes made to address previous objections to the figures of the parent application.

In the parent application, the following issues were unresolved:

- (1) the disclosure had been objected to because of informalities;
- (2) the proposed drawing correction filed on June 12, 2003 had been disapproved;
- (3) Figure 10 was objected to because it should be designated by a legend such as "Prior Art;"
- (4) the drawings were objected to because the line for item 17 of Figure 1 does not touch the substrate to be processed that rests on element 16a;

(5) Claims 17-24 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite;

(6) Claims 17-29, 22, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Welch et al. (U.S. Patent No. 6,192,827, hereinafter “Welch”) in view of Osaka et al. (JP Patent No. 11-037315, hereinafter “Osaka”) and Maa (U.S. Patent No. 4,771,805, hereinafter “Maa”);

(7) Claims 21 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Welch and in view of Steger et al. (U.S. Patent No. 5,788,799, hereinafter “Steger”); and

(8) finally, Claims 20, 23, and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Welch and in view of Hamrah et al. (U.S. Patent No. 5,242,538, hereinafter “Hamrah”).

Applicants thank the Examiner for the courtesy of a personal interview extended to Applicants’ representatives on November 13, 2003. During the interview, Applicants reiterated the differences between the claimed invention and Welch previously argued on the Amendment submitted on the parent application on June 12, 2003 and presented arguments related to the additional fact that Welch does not teach or disclose the advantageous shield structure having an inner surface uniform or flush once the shutter is inserted in the notch in the shield. Although an accord was not reached for the differences previously argued on June 12, 2003, an agreement was reached that “the claim limitation of an even curvature of an inner surface of the deposit shield can be qualified by adding flush surface, or similar language, to further distance Welch who does not teach said compliant or flushed surface configuration” (see Interview Summary, form PTOL 413 in the parent application).

In order to avoid delays in the prosecution process of this application, Applicants have amended by this preliminary amendment the independent claims of this application to recite the subject matter agreed upon during the interview. In view of the amendments submitted

and the agreement reached during the interview, Applicants respectfully submit that the presently amended claims recite subject matter that is novel and non-obvious over Welch, individually or in any combination with any of the previously cited prior art. At least based on this reason, Applicants respectfully submit that Claims 1-10, corresponding to Claim 17-26 of the parent application, patentably distinguish over Welch, Osaka, Maa, Steger, and Hamrah.

The disclosure of the parent application had been objected to because of informalities. Applicants respectfully submit that this preliminary amendments to the specification of this application submitted herein have corrected the informalities noted in the parent application.

The proposed drawing correction filed on June 12, 2003 for the parent application had been disapproved because it was not in the form of a pen-and-ink sketch showing changes in red ink. Applicants respectfully submit that, as discussed with the Examiner during the interview, the replacement drawings submitted on June 12, 2003 complied with the revised amendment procedures that no longer require submission of drawing changes in red ink. In addition, as previously mentioned, the drawings submitted with this application have been revised to take into account all previous objections to the drawings of the parent application.

Figure 10 of the parent application was objected to because it should be designated by a legend such as "Prior Art." Figure 10 of this application has been labeled as "Prior Art."

The drawings of the parent application were objected to because the line for item 17 of Figure 1 does not touch the substrate to be processed that rests on element 16a. Applicants respectfully submit that in FIG. 1 of the present application that problem has been corrected.

Claims 17-24 in the parent application were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully submit that the preliminary amendments submitted herein to the claims of this application have addressed this indefiniteness problem.

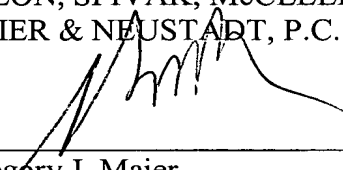
Claims 17-29, 22, and 25 of the parent application were rejected under 35 U.S.C. § 103(a) as being unpatentable over Welch in view of Osaka and Maa. Claims 21 and 24 of the parent application were rejected under 35 U.S.C. § 103(a) as being unpatentable over Welch and in view of Steger. Finally, Claims 20, 23, and 26 of the parent application were rejected under 35 U.S.C. § 103(a) as being unpatentable over Welch and in view of Hamrah.

Applicants respectfully submit that, in view of the agreement reached during the personal interview and the amendments presently submitted by this preliminary amendment, the above-summarized obviousness rejections are now moot.

Based at least on the foregoing reasons, Applicants believe the present application is in condition to be examined on its merit.

Respectfully submitted,

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